UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL NO. 3:10-CV-00407-FDW-DCK

TANAYINA GAMBLE,)	
)	
Plaintiff,)	
v.)	
)	ORDER
CAROLINAS MEDICAL CENTER AND)	
MELVIN DENT,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court upon Defendants' Motions to Dismiss. (Docs. Nos. 6, 12). This Court issued a notice to pro se Plaintiff on September 29, 2010, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of her burden in responding to Defendant Dent's Motion. (Doc. No. 8). Plaintiff was given until October 20, 2010, to file her response to Defendant's Motion. To date, Plaintiff has failed to respond to Defendant's motion.

Plaintiff also failed to participate in an Initial Attorneys' Conference despite Defendants attempt to schedule such a conference. On November 17, 2010, the Court issued an order directing Plaintiff to show cause "by Monday, November 29, 2010, explaining: 1) why Plaintiff failed to participate in the required Initial Attorney's Conference; and 2) why the Court should not grant Defendant Dent the relief he seeks, which is dismissal of Plaintiff's claims as to Defendant Dent, since Plaintiff failed to respond to the pending Motion to Dismiss." (Doc. No. 11). Plaintiff was specifically warned in bold, underlined wording that failure to respond to the Order could result in the Court dismissing Plaintiff's action against Defendants. To date, Plaintiff has failed to respond and has entered no other pleadings in her case.

"[A] district court possesses the 'inherent power' to dismiss a case sua sponte for failure to prosecute. . . . [S]uch authority derives from 'the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." Eriline Co., S.A. v. Johnson, 440 F.3d 648, 654 (4th Cir. 2006) (quoting Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)).

ACCORDINGLY, IT IS, THEREFORE, ORDERED that Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute and failure to comply with orders of the Court.

The Clerk is directed to term any pending motions and CLOSE the case.

The Clerk is directed to mail a copy of this Order to pro se Plaintiff at her address of record.

IT IS SO ORDERED.

Signed: January 29, 2011

Frank D. Whitney

Thirties 1 United States District Judge